

DEC 03 2003

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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:  
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P.O. Box 1450  
Alexandria, VA 22313-1450

|                        |                      |
|------------------------|----------------------|
| Application Number     | 09/927,183           |
| Filing Date            | August 10, 2001      |
| First Named Inventor   | O. O. Popoola et al. |
| Art Unit               | 1774                 |
| Examiner Name          | L. Ferguson          |
| Attorney Docket Number | 198-1162             |

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

## 1. Submission required under 37 CFR 1.114

Note: If the RCE is proper, any previously filed unentered and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such

a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

ii. ☐ Other \_\_\_\_\_

b. ☒ Enclosed

i. ☐ Amendment/Reply

iii. ☐ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/Declaration(s)

iv. ☒ Other Withdrawal of Appeal

## 2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other \_\_\_\_\_

## 3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 06-1510

i. ☒ RCE fee required under 37 CFR 1.17(e)

ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☐ Other \_\_\_\_\_

b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print / Type)

Daniel H. Bliss

[0693.00277]

Registration No. (Attorney / Agent)

32,398

Signature

Date

December 2, 2003

## CERTIFICATE OF MAILING OR TRANSMISSION

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Date

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**Applicant(s): **O. O. Popoola et al.**

Docket No.

198-1162

Serial No.

09/927,183

Filing Date

August 10, 2001

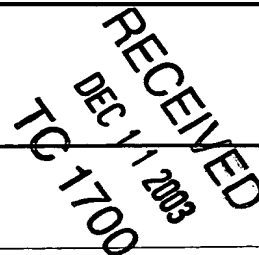
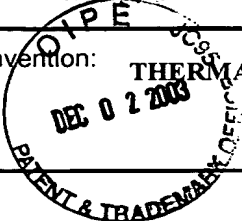
Examiner

L. Ferguson

Group Art Unit

1774

Invention:

**THERMALLY SPRAYED ARTICLES AND METHOD OF MAKING SAME**

I hereby certify that the following correspondence:

**Withdrawal of Appeal and Request for Continued Examination, return postcard.***(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

December 2, 2003*(Date)***Daniel H. Bliss***(Typed or Printed Name of Person Mailing Correspondence)*  
*(Signature of Person Mailing Correspondence)***EL671875471US***("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF APPEALS AND INTERFERENCES

Art Unit: 1774 )  
Examiner: L. Ferguson )  
Applicant(s): O. O. Popoola et al. )  
Serial No.: 09/927,183 )  
Filing Date: August 10, 2001 )  
For: THERMALLY SPRAYED ARTICLES )  
AND METHOD OF MAKING SAME )

WITHDRAWAL  
OF APPEAL


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TC 1700

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

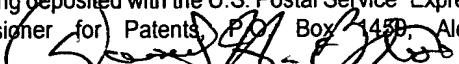
Applicants expressly withdrawal their appeal to the Board of Appeals from the final rejection of the Primary Examiner rejecting claims 1, 2, 5, and 7. Applicants are concurrently filing a Request for Continued Examination in favor of the amended claims in the Amendment under 37 C.F.R. 1.116, which would require further consideration by the Examiner as pointed out in an Advisory Action dated November 25, 2003. It is hoped that the Examiner and Applicants can reach an agreement as to the allowability of the amended claims for the Request for Continued Examination.

Respectfully submitted,

By:   
Daniel H. Bliss  
Reg. No. 32,398

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Troy, Michigan 48084  
(248) 649-6090

Date: December 2, 2003  
Attorney Docket No.: 0693.00277  
Ford Disclosure No.: 198-1162

CERTIFICATE OF EXPRESS MAILING [EL671875471US] (37 C.F.R. 1.10) I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service "Express Mail Post Office To Addressee" in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on December 2 2003, by   
Daniel H. Bliss